

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

BRANDON L. JONES,  
Plaintiff,

v.

OAKLAND POLICE DEPARTMENT, et  
al.,

Defendants.

Case No. 16-cv-00247-EDL

**ORDER OF DISMISSAL**

Plaintiff, a state prisoner proceeding *pro se*, filed a federal civil rights complaint pursuant to 42 U.S.C. § 1983.<sup>1</sup> On April 7 and April 18, 2016, mail sent to plaintiff from the court was returned as undeliverable because plaintiff was not in custody.

As of the date of this order, plaintiff has not updated his address with the court or submitted any further pleadings in this case. Pursuant to Northern District Civil Local Rule 3-11, a party proceeding *pro se* whose address changes while an action is pending must promptly file a notice of change of address specifying the new address. *See* Civil L.R. 3-11(a). The court may, without prejudice, dismiss a complaint when: (1) mail directed to the *pro se* party by the court has been returned to the court as not deliverable, and (2) the court fails to receive within sixty days of this return a written communication from the *pro se* party indicating a current address. *See* Civil L.R. 3-11(b). More than sixty days have now passed since the mail sent to plaintiff by the court was returned as undeliverable. The court has not received a notice from plaintiff of a new address.

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<sup>1</sup> Plaintiff previously consented to magistrate judge jurisdiction. (Dkt. No. 3.)

1           Accordingly, the instant complaint is DISMISSED without prejudice. The clerk of the  
2 court shall terminate all pending motions, enter judgment and close the file.

3           **IT IS SO ORDERED.**

4       Dated:     July 8, 2016

  
ELIZABETH D. LAPORTE  
United States Magistrate Judge

United States District Court  
Northern District of California